

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 11/17/20
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D.W., on behalf of her daughter, M.L.,	:	
	:	
Plaintiff,	:	1:20-cv-09572-GHW
	:	
-against-	:	<u>ORDER</u>
	:	
NEW YORK CITY DEPARTMENT OF	:	
EDUCATION,	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, District Judge:


Plaintiff commenced this action under the Individuals with Disabilities Education Act (“IDEA”) on November 13, 2020, seeking attorneys’ fees and costs as an allegedly prevailing party in an underlying administrative proceeding. Compl., Dkt. No. 1. The Complaint alleges that “[v]enue is proper in that Plaintiffs and Defendant reside in or are situated within the judicial district.” Compl. ¶ 7. However, Plaintiff resides in the County of Kings, which is in the Eastern District of New York. *Id.* at ¶ 2; *see* 28 U.S.C. § 112(c) (“The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk . . .”).

If Plaintiff is willing to transfer this action to the Eastern District of New York, the Court requests that she submit a letter stating that she consents to the transfer of this action to the Eastern District of New York by November 24, 2020.

Plaintiff is directed to serve a copy of this order on Defendant and to retain proof of service.

SO ORDERED.

Dated: November 17, 2020  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge